

IN THE DISTRICT COURT OF ^ COUNTY, NEBRASKA

^,

Petitioner,

vs.

^,

Respondent.

Case No. ^

ORDER MODIFYING DECREE

DATE OF HEARING: ^.

DATE OF RENDITION: ^.

DATE OF ENTRY: See court clerk's file stamp date (§ 25-1301).

APPEARANCES:

For the petitioner: ^.

For the respondent: ^.

SUBJECT OF HEARING: ^.

DECREE INVOLVED:

Date of original decree: ^.

Date last modified: ^.

FINDINGS: The court finds:

1. The stipulation of the parties is fair and reasonable, and is not unconscionable, and is hereby approved, and compliance therewith ordered. The following findings and orders are pursuant to the stipulation.

2. The joint application of the parties, construed as a stipulation of the parties, is fair and reasonable, and is not unconscionable, and is hereby approved, and compliance therewith ordered. The following findings and orders are pursuant to the stipulation.

3. The stipulation of the parties is fair and reasonable, and is not unconscionable, and is hereby approved, and compliance therewith ordered, except that ^. To such extent, the stipulation is disapproved. Except as disapproved, the following findings and orders are pursuant to the stipulation.

4. The joint application of the parties, construed as a stipulation of the parties, is fair and reasonable, and is not unconscionable, and is hereby approved, and compliance therewith ordered, except that ^. To such extent, the stipulation is disapproved. Except as disapproved, the following findings and orders are pursuant to the stipulation.

5. There has been a material change of circumstances since the decree was entered or last modified.

6. The custody of the minor child(ren), ^, born ^, should be changed from the ^petitioner to the ^respondent effective ^, subject to reasonable rights of visitation and correspondence in the ^petitioner. The custody of the minor child(ren), ^, born ^, should remain with the ^petitioner, subject to reasonable rights of visitation and correspondence in the ^respondent.

7. The custody of the minor child(ren), ^, born ^, should be changed from the ^petitioner to the ^respondent effective ^, subject to specific rights of visitation and correspondence in the ^petitioner. The custody of the minor child(ren), ^, born ^, should remain with the ^petitioner, subject to specific rights of visitation and correspondence in the ^respondent.

8. The child support should be modified.

9. The child support should be modified retroactively to ^the date of application.

10. The monthly net incomes of the parties are set forth on Appendix "B" attached hereto and incorporated by reference. The child support amounts determined pursuant to the Nebraska Child Support Guidelines are computed on Appendix "B."

11. Sufficient evidence has been produced to rebut the presumption that the Nebraska Child Support Guidelines should be applied because ^. The findings of the parties' incomes and calculations under the guidelines, and the deviation therefrom, used in determining the amount of support are set forth on Appendix "B" attached hereto, including Worksheets 1 and 5.

ORDER: IT IS THEREFORE ORDERED, ADJUDGED, AND
DECREED that:

1. **RELIEF GRANTED/DENIED:** The application is granted to the extent of the relief set forth below and is otherwise denied.

2. **RELIEF GRANTED/DENIED:** The joint application is granted to the extent of the relief set forth below and is otherwise denied.

3. **PRIOR DECREE OTHERWISE EFFECTIVE:** The decree previously entered in this case (and as previously modified, if applicable) shall remain in full force and effect except as expressly modified by this order.

4. **CHILD CUSTODY:** The custody of the minor child(ren), ^, born ^, is changed from the ^petitioner to the ^respondent effective ^, subject to reasonable rights of visitation and correspondence in the ^petitioner. The custody of the minor child(ren), ^, born ^, shall remain with the ^petitioner, subject to reasonable rights of visitation and correspondence in the ^respondent. The provisions of Appendix "A" attached ^hereto ^to the original decree are incorporated herein and the parties ordered to comply therewith.

5. **CHILD CUSTODY:** The custody of the minor child(ren), ^, born ^, is changed from the ^petitioner to the ^respondent effective ^, subject to specific rights of visitation and correspondence in the ^petitioner as set forth on Appendix "C" attached ^hereto ^to the original decree. The custody of the minor child(ren), ^, born ^, shall remain with the ^petitioner, subject to specific rights of visitation and correspondence in the ^respondent as set forth on Appendix "C" attached ^hereto ^to the original decree. The provisions of Appendix "A" attached ^hereto ^to the original decree are incorporated herein and the parties ordered to comply therewith.

6. **SUPPORT REDUCED:** The child support obligation of the ^respondent is reduced to zero dollars (\$0.00) per month until further order.

7. **SUPPORT MODIFIED:** The ^respondent shall be required to pay child support, effective as of the payment due on ^, of:

- a. \$^ per month when there are four children to be supported;
- b. \$^ per month when there are three children to be supported;
- c. \$^ per month when there are two children to be supported;
- d. \$^ per month when there is only one child to be supported.

8. **SUPPORT REQUIRED:** The ^petitioner shall be required to pay child support, commencing on ^, and a like payment on the first day of each month thereafter until the obligation of support as to particular child terminates, at the rate of:

- a. \$^ per month when there are four children to be supported;
- b. \$^ per month when there are three children to be supported;
- c. \$^ per month when there are two children to be supported;
- d. \$^ per month when there is only one child to be supported.

9. **TERMINATION OF SUPPORT:** The support obligation for each child continues until such child reaches majority under Nebraska law (presently age 19), becomes emancipated, becomes self-supporting, marries, or dies, or until the further order of the court.

10. **PAYMENTS:** All payments shall be paid, for disbursement to the person entitled thereto, to:

a. The **State Disbursement Unit** for **child support, medical support, or spousal support**; and,

b. The **Clerk of the District Court** for this county for **alimony** (non-spousal support), **court costs**, or **attorneys' fees**.

11. **INTEREST:** Delinquent support shall bear interest at the rate of ^% per annum from the time and in the manner provided by law.

12. **RETROACTIVE EFFECT:** The State Disbursement Unit shall adjust the child support records accordingly to reflect the retroactive application of this order.

13. **INFORMATION REPORTING:** BOTH PARTIES shall be required to furnish the clerk of this court, in writing, with such party's address (including specific street address or other physical location, in addition to mailing address), telephone number, and social security number, the name and address of such party's employer, whether or not such person has access to employer-related health insurance coverage and, if so, the health insurance policy information, and any other information that the Court shall deem relevant until the judgment is paid in full. BOTH PARTIES shall also be required to advise the Clerk of any changes in such information between the time of entry of this order and payment of the judgment in full. Failure to comply with the provisions of this section shall be punishable by contempt.

14. **SSN:** The social security numbers of the parties and all minor children are set forth on Appendix "B" attached.

15. **INCOME WITHHOLDING:** The income of the any party obligated to pay support hereunder shall be subject to income withholding, which shall be implemented pursuant to the Income Withholding for Child Support Act.

16. **SUPPORT ENFORCEMENT:** In the event that any such party obligated to pay support fails to pay any child, medical, or spousal support payments, as such failure is certified each month by the State Disbursement Unit in cases where court-ordered support is delinquent in an amount equal to the support due and payable for a one-month period of time, such party may be required to appear before this Court on a date to be determined by the Court and show cause why such payment was not made. In the event such party fails to pay and appear as so ordered, a warrant shall be issued for such party's arrest.

17. **JUDGMENT:** Judgment is hereby rendered accordingly. ^No costs were incurred. ^Each party shall be required to pay their own respective costs and attorney fees. ^Costs of \$ are taxed to ^.

Signed in chambers at **Ainsworth**, Nebraska, on ^;
DEEMED ENTERED upon file stamp date by court clerk.

BY THE COURT:

If checked, the court clerk shall:

- ☐ Mail a copy of this order to all counsel of record and any pro se parties.
Done on _____, 20____ by _____.
- ☐ If not already done, immediately transcribe trial docket entry dictated in open court.
Done on _____, 20____ by _____.
- ☐ Note the decision on the trial docket as: [date of filing] **Signed "Order Modifying Decree" entered.**
Done on _____, 20____ by _____.
- ☐ Mail postcard/notice required by § 25-1301.01 within 3 days.
Done on _____, 20____ by _____.
- ☐ Enter judgment on the judgment record.
Done on _____, 20____ by _____.

William B. Cassel
District Judge

Mailed to: